

1 SENATE BILL NO. 526

2 INTRODUCED BY S. KITZENBERG

3
4 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING ATTRIBUTIONS ON ELECTION MATERIALS;
5 REQUIRING POLITICAL COMMITTEES SUPPORTING OR OPPOSING A BALLOT ISSUE TO DISCLOSE IN
6 THEIR ELECTION MATERIALS THE NAMES AND ADDRESSES OF THOSE WHO CONTRIBUTED OVER A
7 SPECIFIED AMOUNT; AND AMENDING SECTION 13-35-225, MCA."

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9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

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11 **Section 1.** Section 13-35-225, MCA, is amended to read:

12 **"13-35-225. Election materials not to be anonymous -- statement of accuracy.** (1) (a) All
13 communications advocating the success or defeat of a candidate, political party, or ballot issue through any
14 broadcasting station, newspaper, magazine, outdoor advertising facility, direct mailing, poster, handbill, bumper
15 sticker, internet website, or other form of general political advertising must clearly and conspicuously include the
16 attribution "paid for by" followed by the name and address of the person who made or financed the expenditure
17 for the communication.

18 (b) When a candidate or a candidate's campaign finances the expenditure, the attribution must be the
19 name and the address of the candidate or the candidate's campaign.

20 (c) In the case of a political committee, the attribution must be the name of the committee, the name of
21 the committee treasurer, and the address of the committee or the committee treasurer. If the committee is
22 supporting or opposing a ballot issue, the attribution must also include the name and address of any person who
23 has contributed \$500 or more to the committee.

24 (2) Communications in a partisan election financed by a candidate or a political committee organized
25 on the candidate's behalf must state the candidate's party affiliation or include the party symbol.

26 (3) (a) Printed election material described in subsection (1) that includes information about another
27 candidate's voting record must include:

- 28 (i) a reference to the particular vote or votes upon which the information is based;
29 (ii) a disclosure of contrasting votes known to have been made by the candidate on the same issue if
30 closely related in time; and

1 (iii) a statement, signed as provided in subsection (3)(b), that to the best of the signer's knowledge, the
2 statements made about the other candidate's voting record are accurate and true.

3 (b) The statement required under subsection (3)(a) must be signed:

4 (i) by the candidate if the election material was prepared for the candidate or the candidate's political
5 committee and includes information about another candidate's voting record; or

6 (ii) by the person financing the communication or the person's legal agent if the election material was not
7 prepared for a candidate or a candidate's political committee.

8 (4) If a document or other article of advertising is too small for the requirements of subsections (1)
9 through (3) to be conveniently included, the candidate responsible for the material or the person financing the
10 communication shall file a copy of the article with the commissioner of political practices, together with the
11 required information or statement, at the time of its public distribution.

12 (5) If information required in subsections (1) through (3) is omitted or not printed, upon discovery of or
13 notification about the omission, the candidate responsible for the material or the person financing the
14 communication shall:

15 (a) file notification of the omission with the commissioner of political practices within 5 days of the
16 discovery or notification;

17 (b) bring the material into compliance with subsections (1) through (3); and

18 (c) withdraw any noncompliant communication from circulation as soon as reasonably possible."
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